

REMARKS

The Applicant has carefully reviewed and considered the Examiner's Action mailed October 20, 2004, in which claims 3-5 were objected to as containing allowable subject matter. Reconsideration is respectfully requested in view of the comments set forth below.

By this Amendment, claims 1 and 3 are amended. Accordingly, claims 1-5 are pending in the instant application.

Claims 1-5 were rejected under 35 U.S.C. §112, second paragraph for the reasons set forth at page 2 of the Action. In particular, the Action queries if the sliding door and its associated operations are required? The claimed invention is directed to a side sliding door device, i.e., the device that is used with a side sliding door of a vehicle in order to prevent an unlocking operation of the automatic locking mechanism when the side sliding door is in the locked state. Claim 1 has been amended to recite that the "automatic locking mechanism [is] to be interlocked with a closing operation of the sliding door to the lock the sliding door in closed state" to clarify that the side sliding door is not required to infringe the claimed side sliding door device.

With respect to claims 2 and 4, the Action is unclear if those claims require the base plate of the body vehicle and the latch hole provided on the sliding door, respectively. Those claims positively recite those elements as part of the claimed invention and thus, the base plate of the body vehicle (claim 2) and the latch hole provided on the sliding door (claim 4) are required elements of the respective dependent claims.

Claim 3 has been amended to recite that the actuator is “for driving the sliding door”. Thus, the sliding door is not a required element of dependent claim 3. It is respectfully submitted that claims 1-5 are fully definite under 35 U.S.C. §112, second paragraph and withdrawal of that rejection is requested.

Claims 1-2 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,712,406 to Stojc as explained at the top of page 3 of the Action. This rejection is respectfully traversed.

Stojc is directed to a lock latch mechanism for a transit vehicle door system. According to the Abstract of Stojc, a manual release lever is provided to move the lock lever from the locking position into an unlocking position so that the lock latch mechanism **maintains the lock lever in the unlocked position**. As disclosed in column 5, lines 53-55 of Stojc, manual **unlocking** is achieved by a manual release lever or manual unlock lever 31 rotating unlock cam 81 to engage a detent portion 94. Column 2, lines 19-36 of Stojc disclose a system for maintaining a lock lever in an **unlock** position without the aid of a lock actuator. This is not the claimed invention.

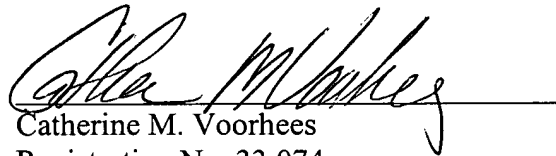
To the contrary, the side sliding door device of the claimed invention comprises 1) an automatic locking mechanism to be interlocked with a closing operation of the sliding door to lock the sliding door in a closed state; and 2) a manual locking mechanism that locks the sliding door in the closed state by a manual operation wherein 3) the manual locking mechanism **prevents an unlocking operation of the automatic locking mechanism**, as set forth in independent claim 1. Nowhere does Stojc disclose a manual locking mechanism that prevents an automatic locking mechanism from opening (unlocking) when the sliding door is in the closed position.

In that Stojc fails to disclose each and every element of claimed invention including the "wherein" clause, Stojc cannot anticipate claims 1-2 of the present invention. Accordingly, it is respectfully submitted that independent claim 1 and dependent claim 2 are allowable over the prior art of record. Reconsideration of the application, withdrawal of the rejections of record and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner believe that a conference would advance the prosecution of this application, the Examiner is encouraged to telephone the undersigned counsel to arrange such a conference.

Respectfully submitted,

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